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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,153	08/20/2003	Takehiro Fukuwaki	NECE 20.585	6502
26304	7590	12/29/2005	EXAMINER	
KATTEN MUCHIN ROSENMAN LLP			KIM, RICHARD H	
575 MADISON AVENUE			ART UNIT	
NEW YORK, NY 10022-2585			PAPER NUMBER	
			2871	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/644,153

Applicant(s)

FUKUWAKI, TAKEHIRO

Examiner

Richard H. Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5/26/05, 10/11/05, 6/16/05
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/13/05 has been entered.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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2. Claims 1, 2, 4-7, 9 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Hsieh et al. (US 6,879,308 B2).

Referring to claim 1, Hsieh et al. discloses a device comprising a display unit for display images and a case having a rigid hollow rectangular (111) cross-section in which the display unit (col. 3, lines 25-27) is installed, the case being formed with an opening (111) through which the display device is slid into and out of the hollow rectangular cross-section of the case (col. 3, lines 50-51); wherein the case includes a cover (23) for covering the opening therewith, the cover being formed as part of the case.

Referring to claim 2, Hsieh et al. discloses the device wherein the case is formed with a guide (14) for supporting the display unit therewith (col. 3, lines 50-55).

Referring to claim 4, Hsieh et al. discloses a bendable cover for having a first position in which the cover does not close the opening, and a second in which the cover closes the opening (20). As to the recitation that the cover is “bendable”, it has been held that the recitation that an element is “capable of” performing a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. *In re Hutchinson*, 69 USPQ 138. When the cover is detached from the frame, the cover is in the first position. When the cover is attached to the frame, the cover is in the second position.

Referring to claim 5, Hsieh et al. discloses a device comprising a base plate (12) on which the display unit is fixed.

Referring to claim 7, Hsieh et al. discloses a device comprising a liquid crystal display unit for displaying images (col. 3, line 26), and a case having a rigid hollow rectangular cross-section (12) in which the liquid crystal display unit is installed, the case being formed with an

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opening through which the liquid crystal is slid into and out of the hollow rectangular cross-section of the case (col. 3, lines 50-51); wherein the liquid crystal display unit is comprised of a backlight unit (supplying backlight to the liquid crystal display panels, a light guide and a light reflection both constituting the backlight unit (col. 3, lines 54-60).

Referring to claim 6, Hsieh et al. discloses a display device wherein the display is comprised of an electroluminescence display device (col. 2, lines 58-59).

Referring to claims 9 and 10, Hsieh et al. discloses a display device wherein the liquid crystal –panel is further comprised of a base plate (11) on which the liquid crystal display panel is supported, the base plate is formed centrally with a window (11) through which a display area of the liquid crystal panel is exposed; and the base plate is formed with ribs (13) for supporting the liquid crystal display panel, wherein the base plate acts as a guide for the liquid crystal display unit to be slid into and out of the case (col. 3, lines 50-51).

Referring to claim 11, Hsieh et al. discloses a device wherein the opening is closed by bending a part of the case (20). Hsieh discloses clips on the side of the cover and the frame. In order to cover and engage the clips, the cover must be subject to bending.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsieh et al. in view of admitted prior art (AAPA).

Hsieh et al. discloses the device previously recited. Hsieh et al. further discloses a liquid crystal display panel (col. 2, line 59) and a base plate (11) for supporting the liquid crystal display panel. However, the reference does not disclose a first substrate supplying a desired voltage to the liquid crystal display panel; a second substrate supplying a signal voltage to the first substrate; a third substrate acting as an interface; and a fourth substrate supplying a desired voltage to the backlight unit.

AAPA discloses a first substrate (400) supplying a desired voltage to the liquid crystal display panel; a second substrate (600) supplying a signal voltage to the first substrate; a third substrate (26) acting as an interface; and a fourth substrate (700) supplying a desired voltage to the backlight unit.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a first substrate supplying a desired voltage to the liquid crystal display panel; a second substrate supplying a signal voltage to the first substrate; a backlight unit supplying backlight to the liquid crystal display panel; a third substrate acting as an interface; and a fourth substrate supplying a desired voltage to the backlight unit since one would be

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motivated to provide the proper structure needed in order to supply signals to drive and illuminate the liquid crystal display.

5. Claims 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsieh et al.

Hsieh et al. discloses the device previously recited, but fails to explicitly disclose that the opening is closed by a cover composed of the same material as that of the case. However, Hsieh et al. discloses that all the frames in the invention are made of plastic or metals (col. 4, lines 10-11).

It would have been obvious to one having ordinary skill in the art for the cover to be composed as the same material as the case since doing so would simplify the fabrication process by minimizing the amount of separate materials used in the fabrication process.

### ***Response to Arguments***

6. Applicant's arguments with respect to claim 1, 2, 4-14 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard H. Kim whose telephone number is (571)272-2294. The examiner can normally be reached on 9:00-6:30 M-F.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on (571)272-2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Richard H Kim  
Examiner  
Art Unit 2871

RHK

  
ANDREW SCHECHTER  
PRIMARY EXAMINER